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**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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In re:

**EASY STREET HOLDING, LLC, *et al.*,**

Tax ID Numbers:

35-2183713 (Easy Street Holding, LLC),  
20-4502979 (Easy Street Partners, LLC), and  
84-1685764 (East Street Mezzanine, LLC)

**Case No. 09-29905**

(Jointly Administered with Cases 09-29907  
and 09-29908)

Chapter 11

Honorable R. Kimball Mosier

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***EX PARTE* MOTION FOR ORDER ALLOWING COUNSEL TO  
PARTICIPATE TELEPHONICALLY IN SEPTEMBER 16, 2009 HEARING ON  
VARIOUS MOTION AND APPLICATIONS FOR FIRST DAY RELIEF**

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WestLB AG, a secured creditor in the above-captioned bankruptcy proceeding, by and through its undersigned counsel, respectfully moves the Court for an order allowing WestLB AG's counsel, Richard W. Havel of Sidley Austin, LLP, located in Los Angeles, California to participate telephonically in the hearing set for tomorrow, September 16, 2009 at 11:30 on the

various motions and applications of the Debtors seeking first day relief. In support of this Motion WestLB AG represents as follows:

1. Yesterday, on September 14, 2009, Easy Street Holding, LLC, Easy Street Partners, LLC and Easy Street Mezzanine, LLC (collectively, the “Debtors”) each filed voluntary petitions seeking relief under chapter 11 of the Bankruptcy Code.

2. Earlier today, at approximately 12:19 p.m., the Debtors filed the Debtors’ Notice of Commencement of Bankruptcy Cases and Hearings on Various Motions and Applications for First Day Relief [Docket No. 13] (the “Notice”) providing notice of the hearing scheduled to commence tomorrow at 11:30 a.m.

3. WestLB AG is represented by Richard W. Havel of Sidley Austin, LLP out of Los Angeles, California and by Utah counsel, Annette W. Jarvis, Steven C. Strong and Benjamin J. Kotter of Dorsey & Whitney, LLP.

4. Mr. Havel is the primary attorney representing WestLB AG in relation to the Debtors, and is knowledgeable regarding all facts and issues surrounding WestLB AG’s status as a secured creditor herein. However, due to the short notice, Mr. Havel cannot travel to Utah to attend the hearing.

5. The undersigned or another attorney from WestLB AG’s Utah counsel, Dorsey & Whitney, LLP will be personally present at the September 16, 2009 hearing.

Accordingly, WestLB AG respectfully requests that the Court enter an order allowing Mr. Havel to appear telephonically for the September 16, 2009 hearing on the Debtors’ various motions and applications for first day relief.

DATED this 15<sup>th</sup> day of September, 2009.

**DORSEY & WHITNEY, LLP**

/s/ Benjamin J. Kotter

Annette W. Jarvis

Steven C. Strong

Benjamin J. Kotter

and

Richard W. Havel

**SIDLEY AUSTIN, LLP**

*Attorneys for WestLB AG*